

IN THE UNITED STATE DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

PLAINTIFF

ROBERT BENNETT, et al

INTERVENOR PLAINTIFFS

VS.

CASE NO. 07-CV-1025

CHEMTURA CORPORATION d/b/a  
GREAT LAKES CHEMICAL  
CORPORATION, et al

DEFENDANT

**ORDER**

**IT IS SO ORDERED** that the above matter be reopened as to all claims made by Plaintiff Equal Employment Opportunity Commission (“EEOC”). Actions by a government unit to enforce its police or regulatory powers are exempt from operation of the automatic stay provision in section 362(a) of the Bankruptcy Code. 11 U.S.C. § 362(b)(4). Therefore, all of the EEOC’s claims are exempt from the automatic stay and will proceed. *See E.E.O.C. v. Rath Packing Co.*, 787 F.2d 318, 323-25 (8th Cir. 1986) (holding that a Title VII action brought by the EEOC to enforce that agency’s power to eradicate employment discrimination is exempt from the automatic stay provision); *see also E.E.O.C. v. Hall’s Motor Transit Co.*, 789 F.2d 1011, 1013-14 (3rd Cir. 1986). The individual claims made by Intervenor Plaintiffs are not reopened at this time as they are subject to the automatic stay. 11 U.S.C. § 362(a).

**IT IS SO ORDERED**, this 26th day of March, 2009.

/s/ Harry F. Barnes  
Hon. Harry F. Barnes  
United States District Judge